

441—90.5(249A) Services.

90.5(1) Covered services. MR/CMI/DD case management shall include the following:

- a. Assessment of need for case management, intake, and enrollment into case management and coordination of needed interdisciplinary diagnostic and evaluation services.
- b. Development, implementation, and maintenance of a current and appropriate treatment plan that directly involves those concerned with the consumer, including the consumer, the consumer's legal representative, and the consumer's family. Other participants may include the case manager, service providers, and others whose appropriateness is identified through the evaluation, diagnostic, or reevaluation process.
- c. Linkage of the consumer's needs to required treatments and services without restricting the consumer's choice of service providers in violation of Section 1902(a)(23) of the Social Security Act.
- d. Coordination and facilitation of decision making according to the consumer's needs and abilities.
- e. Monitoring of overall service delivery.
- f. Crisis assistance planning and intervention.

90.5(2) Excluded services.

- a. MR/CMI/DD case management is not a direct service. No direct treatment services are covered.
- b. Medicaid payment for services to consumers who are conditionally eligible under 441—subrule 75.1(35) shall be made only when the consumer has met the spenddown requirements for the certification period.

The consumer is responsible for paying for services used to meet spenddown. The consumer shall be notified of this responsibility and shall acknowledge that the provider must be paid within 30 days of the date on the second invoice or MR/CMI/DD case management will be terminated.

90.5(3) Service contacts. Providers of MR/CMI/DD case management shall:

- a. Make at least one contact per month with the consumer, the consumer's legal representative, the consumer's family, service providers, or another person, as necessary to develop or monitor the treatment plan; and
- b. Make a face-to-face contact with the consumer at least once every three months.

90.5(4) Service requirements. MR/CMI/DD case management shall be implemented and provided in consultation with the consumer, the parents (if the consumer is a child), the consumer's legal representative, the consumer's family members, and others requested by the consumer and shall include the following:

- a. Report of diagnostic category and consumer's county of legal settlement using Form 471-2464, Report for Enhanced Services.
- b. A social history which contains current and historical information and is updated annually, in accordance with 441—subrule 24.4(1).
- c. Assessment, in accordance with 441—subrule 24.4(2).
- d. Individual service plan, in accordance with 441—subrule 24.4(3). The plan shall be based on the consumer's assessed needs, abilities, situation and desires and shall include the following:
 - (1) Reference to all provided services, including identification of providers and time frames for services.
 - (2) Documentation of the need for MR/CMI/DD case management as it corresponds with the goals and objectives.
 - (3) Crisis plan for emergencies.
 - (4) Discharge plan.
 - (5) Documentation of the parties involved with the development of the plan.
 - (6) Schedules for case monitoring and client reassessment.
 - (7) Plan for communication by the case manager to all providers to ensure coordination and planning.
- e. Documentation of service provision in accordance with 441—subrule 24.4(4), including documentation of service contacts as described in subrule 90.5(3).
- f. Incident reports in accordance with 441—subrule 24.4(5).

g. An annual report documenting the need for MR/CMI/DD case management, the appropriateness of service interventions, the goals and objectives, and the consumer's progress.

h. Documentation that the case manager has developed and, no less than quarterly, has carried out a process for determining the client's progress toward achieving the goals and objectives identified in the individual service plan.

90.5(5) *Consumer rights.* Consumer rights may be limited or restricted only with the consent of the consumer or the consumer's legally authorized representative, and only if:

- a. The limited right is explained; and
- b. A service activity to address the limitation is developed and documented in the service plan with an explanation that describes how the consumer will work toward having the restriction removed; and
- c. Periodic evaluations of the limit are conducted to determine continued need.